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IN THE DISTRICT COURT OF BUFFALO COUNTY, NEBRASKA

RYSTA LEONA SUSMAN, both
 individually and as natural mother of SHANE
 ALLEN LOVELAND, a protected person,
 SHANE ALLEN LOVELAND, a protected
 person by and through his Temporary
 Guardian and Conservator, JOHN SAUDER,
 and JACOB SUMMERS,

Plaintiffs,

vs.

KEARNEY TOWING & REPAIR CENTER,
 INC., A NEBRASKA CORPORATION,

Defendant.

Case No: CI 19-0158

**PROPOSED ORDER ON MOTION FOR
 LEAVE TO FILE A THIRD-PARTY
 COMPLAINT, MOTION TO COMPEL,
 AND MOTION FOR A PROTECTIVE
 ORDER**

2019 SEP 24 PM 2:28
 CLERK OF DISTRICT COURT
 BUFFALO COUNTY, NEBRASKA

FILED
 SHARON K. MAULER

This matter is before the Court on Kearney Towing, Inc.'s Motion for Leave to Add a Third-Party, Motion to Compel, and Motion for a Protective Order. A hearing was held with Kyle Farrar attending by telephone for Plaintiffs and Kristina Kamler attending on behalf of Defendant. Having heard the arguments of the Parties, I find, and order as follows:

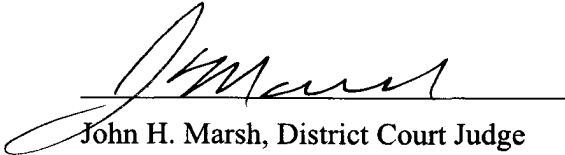
1. Defendant's Motion for Leave is granted. Defendant will file the Third-Party Complaint against Goodyear in the next 10 days.
2. With regards to Defendant's Motion to Compel:
 - a. Plaintiff, Jacob Summers is ordered to sign a Certificate of Accuracy, verifying the truthfulness of his discovery responses and produce a signed authorization for Defendant to obtain his medical records.
 - b. Shane Loveland and Jacob Summers are compelled to supplement their discovery responses to disclose:
 - i. any felony charges filed against them or any criminal complaints filed against them alleging crimes of dishonest within the preceding 10 years
 - ii. any civil lawsuits involving personal injuries or guardianship proceedings.
 - c. Defendant's Motion to Compel materials concerning materials labelled as confidential and protected by a Protective Order in the case titled *Susman, et. al. v.*



The Goodyear Tire & Rubber Company, U.S. District Court for Nebraska, Case No. CI 8:18-CV-00127 (hereinafter the “Goodyear” case) is stayed pending the addition of Goodyear as a party to this case.

- d. Any portion of Defendant’s Motion to Compel that is not addressed above, has been resolved via a mutual agreement of the Parties and, therefore, is denied.
3. Defendant’s Motion for a Protective Order seeking to prevent its representatives from being subject to duplicative depositions as between this case and the Goodyear case is denied.
4. Defendant’s Motion for a Protective Order concerning materials labelled as confidential and protected by a Protective Order in the Goodyear case is denied.

It is so Ordered.


John H. Marsh, District Court Judge

Dated this 24th day of September 2019.

Approved as to form and content by:

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on September 24, 2019, I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Kristina J Kamler
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Date: September 24, 2019

BY THE COURT:

Sharon K. Mauldin

CLERK

